

1 SPILSBURY LAW, PLLC
2 s/David W. Spilsbury
3 David W. Spilsbury, 031145
4 18 East University Dr., Suite 208
5 Mesa, AZ. 85201
6 (602) 388-8893
7 dave@spilsburylaw.com

8 ATTORNEYS FOR PLAINTIFFS

9
10 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
11 **IN AND FOR THE COUNTY OF MARICOPA**

12 **JAMES STEVENSON, BARON**
13 **BENHAM, LYNIE STONE, JESSICA**
14 **CHAMBERS, AS AGGRIEVED**
15 **ELECTORS,**

16 **Plaintiffs,**

17 **vs.**

18 **GOVERNOR DOUG DUCEY AND**
19 **SECRETARY OF STATE KATIE**
20 **HOBBS,**

21 **Defendants.**

Case No.

DECLARATION OF
NAHSHON GARRETT

22 I, Nahshon Garrett, hereby declares as follows under penalty of perjury:

- 23 1. The following statements are based on my personal knowledge, and if called
24 to testify I could swear competently thereto.
- 25 2. I am at least 18 years old and of sound mind.
- 26 3. I am a citizen of the United States and a resident of the State of Tennessee. I
27 am an eligible Tennessee voter and am registered to vote in the state.
- 28 4. In July of 2016 I moved from the State of New York to the State of Arizona.

1 5. I went to the Maricopa County Department of Motor Vehicles to obtain an
2 Arizona License.

3 6. At that visit, I also took the opportunity to register to vote. I filled out the
4 voter registration form available at the Department of Motor Vehicles. In order to register,
5 I also signed up for Arizona's Permanent Early Voter List. At the time, I was unaware of
6 what I was signing up for, it was my impression that to register to vote and obtain a ballot I
7 had to mark yes to joining the Permanent Early Voter List.

8 7. As part of the voter registration process I provided a signature of my name
9 for the voter record.

10 8. I provided my signature several times when I went to the Maricopa County
11 Department of Motor Vehicles. I provided it at visits in 2017 and 2018 as well.

12 9. I did not vote in the 2018 election.

13 10. In 2020 I moved to Tennessee.

14 11. I voted in the State of Tennessee in the 2020 November General Election.

15 12. On November 12, 2020 I received a recorded call from a group titled the
16 Voter Integrity Fund regarding my voting record in the State of Arizona. The recorded
17 message informed me I voted in the November 2020 general election based on records
18 from the State of Arizona. Attached to this declaration is a copy of the voicemail I received
19 from the Voter Integrity Fund. See Exhibit 1.

20 13. Upon receiving the voicemail from the Voter Integrity Fund, I decided to
21 investigate. I went to the Maricopa County Elections Department website. The Elections
22 Department created a voter dashboard where electors could check on the status of their
23 absentee ballot and voting record. When I logged in I saw the screen in Exhibit 2. That is a
24 screenshot of the BeBallotReady.vote page that indicated on October 20, 2020 my ballot
25 was signature verified and counted. See Exhibit 2.

26 14. I did not vote absentee, early, or in-person in the State of Arizona for the
27 entire 2020 election cycle.

1 15. After confirmation an absentee ballot was submitted for the 2020 general
2 election and signature verified under my name, I looked at a few other websites and
3 confirmed that someone voted absentee under my name.

4 16. On November 20, 2020 I requested and received my voter file from the
5 Maricopa County Recorder's Information System. A Copy of that record is attached as
6 Exhibit 3. I registered to vote at the Maricopa County Division of Motor Vehicles on
7 March 9, 2017. On the registration form I provided a signature. On October 11, 2020,
8 without my knowledge, my record indicates my form was modified. On November 7, 2020
9 my voter registration was restored to active status. See Exhibit 3.

10 17. None of the changes indicated on the Maricopa County Recorder's
11 Information System Center Election history was taken with my knowledge or permission.

12 18. I went back to the Maricopa County Elections Department website to
13 confirm what I had seen previously. When I returned, the website deactivated my voter
14 profile and I couldn't view my voter registration or any indication that an absentee ballot
15 was signature certified and submitted under my name. A screenshot of the website I
16 viewed is attached as Exhibit 4.

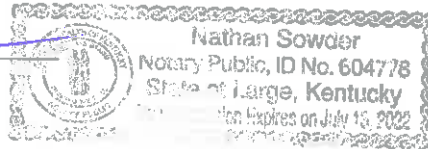
17
18
19 *REMAINDER OF PAGE INTENTIONALLY BLANK*
20
21
22
23
24
25
26
27
28

Dated: December 2, 2020


Nahshon Garrett

Subscribed and affirmed to before me
this 2 day of December, 2020 in
County of Lange
State of Kentucky


Notary Public



Hello, I'm calling with the Voter Recovery Fund, the State of Arizona is reporting that a ballot was cast in the name of Nahshon Garrett in the general election on Tuesday, if Nahshon Garrett did not cast this ballot please call us back at 480-672-0664. Thank you.



✓ Voter Registration Status:
REGISTERED
[Get My Digital Voter ID Card](#)

👤 Name:
NAHSHON A GARRETT
[Change My Name](#)

🏠 Residential Address:
9218 E ELLIS ST
MESA
AZ 85207
[Change My Address](#)

🗳️ My Political Party Designation:
NO PARTY 🗳️
[Change My Political Party](#)

🕒 Permanent Early Voting List:
YES
[Sign up for Ballot Updates](#)

Upcoming Elections

Upcoming Elections

11/3/2020

[See Elections Calendar](#)

[What's on My Ballot?](#)

Where Can I Vote?

Whether it's Election Day or before, you have options to vote.



[View All Voting Locations](#)

My Ballot Status

10/20/2020

Your ballot was signature verified and counted.

More Election Information

Election Security



From early ballots to tabulation, security and transparency are an important part of every election.

Frequently Asked Questions

Find elections resources below or contact us at 602-506-1511 or voterinfo@risc.maricopa.gov.

[Get ADA Voter Assistance](#)

[Who Are My Elected Officials?](#)

[Get a Ballot by Mail](#)

[Find a Voting Location](#)

[Braille or Large Print Ballot Request](#)

Election Resources

[View Election Results](#)

[Get Involved – Work An Election](#)

11/20/2020
3:32:56PM

Maricopa County
Recorder's Information Systems Center
VM08 Voter Information

Voter ID: 4654474

Status: D

Harassment Code: N

Name: GARRETT, NAHSHON, A

Phone: 000-000-0000

Residential: 9218 E ELLIS ST, MESA AZ 85207

Mailing:

Conversion

Affidavit: 610412543

Perm EV Ind: Y

Alt Format Type: N

Receive Date:

Receive Type: R

DOR: 03/09/2017

Party: PND

Pc Date:

PPV: N

BP State: CA

Country: U.S.A.

DOB: 08/21/1993

Last 4 SSN: 8612

Occupation: 29

Precinct: 0233 - FENIMORE

City Limits: M5 - MESA COUNCIL DIST #5

CPC:

Con: 5 Leg: 16 Sup: 2 Jp: 24 Sch: 004 HSch: 4 MCCD: 2 Special: Q003

11/20/2020
3:34:14PM

Maricopa County
Recorder's Information Systems Center
VM08 Voter Information
Election History

VoterId: 4654474
Voter Name: GARRETT, NAHSHON, A
Harassment Code: N

Primary	General	Primary	General	Primary	General
2020 N	2020 N	2018 N	2018 N	2016 N	2016 N

Entry Date	AffSeq	Change Date	Change Type	Change Comments	Assc Voter
11/16/2020	904654474	11/16/2020	D	REG VERIFICATION	0
11/07/2020	610412543	11/07/2020	U	RESTORED TO ACTIVE	0
10/11/2018	610412543	09/07/2018	M	MOD NAM RES PTY	0
10/11/2018	904654474	11/15/2017	R	RESTORATION	0
11/15/2017	904654474	11/15/2017	D	REG VERIFICATION	0
05/01/2017	140017338	05/01/2017	P	PROP 200	0
03/10/2017	204804901	03/09/2017	N	ORIG REG	0

[1] Permanent Early Voting List - Early Ballot (see instructions above)

BOX FOR OFFICE USE ONLY

204804901



- ☒ YES, I want to automatically receive an early ballot for each election for which I am eligible.
☐ NO, I DO NOT want to automatically receive an early ballot. I understand CHECKING THIS BOX will remove my name from the list if it was previously included.

[2] Last Name

First Name

Middle Name

Jr./Sr./III

GARRETT

NAHSHON

AARON

[3] Address where you live - If no street address, describe residence location using mileage, cross streets, parcel #, subdivision name and lot, or landmarks. Do not use post office box or business address. Draw a map below if located in rural area.

1001 E PLAYA DEL NORTE DR UNIT 2245

[4] Apt./
Unit/Space

[5] City

TEMPE

[6] Zip

85281 - 2268

[7] Address where you get your mail, if mail is not delivered to your home

[8] Last four digits of Social Security Number

8612

[9] AZ Driver License Number or AZ Nonoperating License Number

D10104762

[10] Optional Tribal Identification Number

[11] Alien Registration Number

[12] Birth Date (MM/DD/YYYY)

08/21/1993

[13] State or Country of Birth

[14] Party Preference

[15] Telephone number

[16] Occupation

[17] If you were registered to vote in another state, list former address including county and state.

☒ Republican
☐ Democratic
☐ Other

[18] List former name (if applicable)

[19] Father's name or mother's maiden name

[20] Are you willing to work at a polling place on election day?

☐ Yes ☒ No

[21] E-mail address

[22] • Are you a citizen of the United States of America?
• Will you be 18 years of age on or before election day?

Yes ☒ No ☐
Yes ☒ No ☐

If you checked 'No' to either one of these questions, do not submit this form.

VOTER DECLARATION - By signing below, I swear or affirm that the above information is true, that I am a RESIDENT of Arizona, I am NOT a convicted FELON or my civil rights are restored, and I have NOT been adjudicated INCOMPETENT.

This is a printed representation of the completed ServiceArizona web form 20170309125341182 M

X

SIGN HERE

03/09/2017

DATE

[24] If you are unable to sign the form, the form can be completed at your direction. The person who assisted you must sign here.

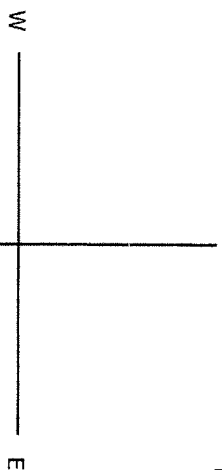
SIGNATURE OF PERSON ASSISTING

DATE

[23] If no street address draw a map here

N

EXHIBIT 3



[1] Permanent Early Voting List - Early Ballot (see instructions above)		YES, I want to automatically receive an early ballot for each election for which I am eligible. <input checked="" type="checkbox"/> YES, I want to automatically receive an early ballot. I understand CHECKING THIS BOX will remove my name from the list if it was previously included. <input type="checkbox"/> NO, I DO NOT want to automatically receive an early ballot.		-14 0017338	
[2] Last Name Garrett		First Name Nashwan		Middle Name A.	
[3] Address where you live - If no street address, describe residence location using mileage, cross streets, parcel #, subdivision name and lot, or landmarks. Do not use post office box or business address. Draw a map below if located in rural area. 1001 E. Playa Del Norte Tempe					
[5] City Tempe		[6] Zip 85281		[7] Address where you get your mail, if mail is not delivered to your home	
[8] Last four digits of Social Security Number		[9] AZ Driver License Number or AZ Nonoperating License Number F1278026		[10] Optional Tribal Identification Number	
[12] Birth Date (MM/DD/YYYY) 08/21/1993		[13] State or Country of Birth California		[14] Party Preference <input type="checkbox"/> Republican <input type="checkbox"/> Democratic <input checked="" type="checkbox"/> Other Law	
[17] If you were registered to vote in another state, list former address including county and state		[15] Telephone Number (530) 774-4589		[16] Occupation	
[20] Are you willing to work at a polling place on election day? <input type="checkbox"/> Yes <input type="checkbox"/> No		[21] E-mail address		[18] List former name (if applicable)	
[22] Are you a citizen of the United States of America? ● Will you be 18 years of age on or before election day? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If you checked "No" to either one of these questions, do not submit this form.		[19] Father's name or mother's maiden name		[23] If no street address draw a map here: N W E MCDON	
[24] If you are unable to sign the form, the form can be completed at your direction. The person who assisted you must sign here.		SIGN HERE Garrett		DATE 07/19/16	
SIGNATURE OF PERSON ASSISTING				DATE 4654474	

<Remove tape and fold to mail

Remove tape and fold to mail>

<Fold Line>

*USE BLACK PEN ~ COMPLETELY FILL OUT FORM *USE PLUMA DE TINTA NEGRA ~ LLENE EL FORMULARIO COMPLETAMENTE

Fold Line>

[1] Permanent Early Voting List - Early Ballot (see instructions above)

☒ YES, I want to automatically receive an early ballot for each election for which I am eligible.

☐ NO, I DO NOT want to automatically receive an early ballot. I understand CHECKING THIS BOX will remove my name from the list if it was previously included.

610412543



[2] Last Name

Garcett

First Name

Nahshon

Middle Name

A

Jr./Sr./III

[3] Address where you live -- If no street address, describe residence location using mileage, cross streets, parcel #, subdivision name and lot, or landmarks.

Do not use post office box or business address. Draw a map below if located in rural area.

9218 E. Ellis St.

[4] Apt./Unit/
Space

[5] City

Mesa, AZ

[6] Zip

85207

[7] Address where you get your mail, if mail is not delivered to your home

[8] Last four digits of Social Security Number

8612

[9] AZ Driver License Number or AZ Nonoperating License Number

D1614762

[10] Optional Tribal Identification Number

[11] Alien Registration Number

[12] Birth Date (MM/DD/YYYY)

08/21/93

[13] State or Country of Birth

CA

[14] Party Preference

☐ Republican

☐ Democratic

☒ Other

N/A

[15] Telephone Number

[18] List former name (if applicable)

[19] Father's name or mother's maiden name

Sizemore

[20] Are you willing to work at a polling place on election day? [21] E-mail address

☐ Yes ☒ NO

[22] Are you a citizen of the United States of America?

☒ Yes ☐ No If you checked "No" to either one of these questions, do not submit this form.

VOTER DECLARATION - By signing below, I swear or affirm that the above information is true, that I am a RESIDENT of Arizona, I am NOT a convicted FELON or my civil rights are restored, and I have NOT been adjudicated INCOMPETENT.

SIGN HERE

[Signature]

DATE

09/21/18

[24] If you are unable to sign the form, the form can be completed at your direction. The person who assisted you must sign here.

SIGNATURE OF PERSON ASSISTING

DATE

[Signature]

<Remove tape and fold to mail>

Remove tape and fold to mail>

EXHIBIT 3

Maricopa County
Recorder's Office Information Systems Center

Voted File Report
For Voter ID: 4654474

<u>Voter ID</u>	<u>Name</u>	<u>Address</u>	<u>Status</u>	<u>Date of Registration</u>
4654474	GARRETT, NAHSHON A	9218 E ELLIS ST 85207	D	03/09/2017
Election Number:	1377	House Number: 9218	Party:	PND
Election Type:	G	House Number Suffix:	Precinct:	0233
Election Date:	11/03/2020	Street Direction: E	CPC:	0233
First Name:	NAHSHON	Street Name: ELLIS	City District:	M5
Middle Name:	A	Street Type: ST	School District:	004
Last Name:	GARRETT	Street Suffix:	Early Voter Status	X
Telephone:		Unit Number:	Ballot Rcv from USPS:	
		City: MESA	Primary Ballot:	
		Zip Code: 85207	Provisional:	
Election Number:	1376	House Number: 9218	Party:	PND
Election Type:	P	House Number Suffix:	Precinct:	
Election Date:	08/04/2020	Street Direction: E	CPC:	
First Name:	NAHSHON	Street Name: ELLIS	City District:	M5
Middle Name:	A	Street Type: ST	School District:	004
Last Name:	GARRETT	Street Suffix:	Early Voter Status	N
Telephone:		Unit Number:	Ballot Rcv from USPS:	
		City: MESA	Primary Ballot:	
		Zip Code: 85207	Provisional:	
Election Number:	1362	House Number: 9218	Party:	PND
Election Type:	J	House Number Suffix:	Precinct:	6698
Election Date:	11/05/2019	Street Direction: E	CPC:	6698
First Name:	NAHSHON	Street Name: ELLIS	City District:	M5
Middle Name:	A	Street Type: ST	School District:	004
Last Name:	GARRETT	Street Suffix:	Early Voter Status	S
Telephone:		Unit Number:	Ballot Rcv from USPS:	
		City: MESA	Primary Ballot:	
		Zip Code: 85207	Provisional:	
Election Number:	1341	House Number: 9218	Party:	PND
Election Type:	G	House Number Suffix:	Precinct:	0233
Election Date:	11/06/2018	Street Direction: E	CPC:	0233
First Name:	NAHSHON	Street Name: ELLIS	City District:	M5
Middle Name:	A	Street Type: ST	School District:	004
Last Name:	GARRETT	Street Suffix:	Early Voter Status	S
Telephone:		Unit Number:	Ballot Rcv from USPS:	
		City: MESA	Primary Ballot:	
		Zip Code: 85207	Provisional:	

Maricopa County
Recorder's Office Information Systems Center
Voted File Report
For Voter ID: 4654474

<u>Voter ID</u>	<u>Name</u>	<u>Address</u>	<u>Status</u>	<u>Date of Registration</u>
4654474	GARRETT, NAHSHON A	9218 E ELLIS ST 85207	D	03/09/2017
Election Number:	1339	House Number: 1001	Party:	REP
Election Type:	P	House Number Suffix:	Precinct:	
Election Date:	08/28/2018	Street Direction: E	CPC:	
First Name:	NAHSHON	Street Name: PLAYA DEL NORTE	City District:	TE
Middle Name:	AARON	Street Type: DR	School District:	003
Last Name:	GARRETT	Street Suffix:	Early Voter Status:	N
Telephone:		Unit Number: 2245	Ballot Rev from USPS:	
		City: TEMPE	Primary Ballot:	
		Zip Code: 85281	Provisional:	
Election Number:	1331	House Number: 1001	Party:	REP
Election Type:	J	House Number Suffix:	Precinct:	
Election Date:	03/13/2018	Street Direction: E	CPC:	
First Name:	NAHSHON	Street Name: PLAYA DEL NORTE	City District:	TE
Middle Name:	AARON	Street Type: DR	School District:	003
Last Name:	GARRETT	Street Suffix:	Early Voter Status:	N
Telephone:		Unit Number: 2245	Ballot Rev from USPS:	
		City: TEMPE	Primary Ballot:	
		Zip Code: 85281	Provisional:	
Election Number:	1327	House Number: 1001	Party:	REP
Election Type:	J	House Number Suffix:	Precinct:	6481
Election Date:	11/07/2017	Street Direction: E	CPC:	6481
First Name:	NAHSHON	Street Name: PLAYA DEL NORTE	City District:	TE
Middle Name:	AARON	Street Type: DR	School District:	003
Last Name:	GARRETT	Street Suffix:	Early Voter Status:	S
Telephone:		Unit Number: 2245	Ballot Rev from USPS:	
		City: TEMPE	Primary Ballot:	
		Zip Code: 85281	Provisional:	



Registration Status:

Registration Update Required

[Update Registration](#)



Name:

NAHSHON A GARRETT

[Change My Name](#)



Address:

9218 E ELLIS ST

MESA

AZ 85207

[Change My Address](#)



My Political Party Designation:

NO PARTY

[Change My Political Party](#)



Permanent Early Voting List:

YES

Upcoming Elections

Registration Update Required

You are currently registered, but your voter registration is inactive. If your address information is correct please contact our office at 602-506-1511 or email us at voterinfo@risc.maricopa.gov. You may also update your voter registration through ServiceArizona.com to put your voter registration back in active status.

[Update Registration](#)

More Election Information

The Ballot Has Been Updated



Maricopa County voters have a new ballot. Voters will now fill in ovals instead

Frequently Asked Questions

[Frequently Asked Questions](#)

[Get an Elections Check List](#)

[Get ADA Voter Assistance](#)

[Who Are My Elected Officials?](#)

[What Districts Do I Live In?](#)

[See Ballot Tabulation Live Stream](#)

Election Resources

[View Previous Election Results](#)

[Get Involved – Work An Election](#)